

# **EXHIBIT B**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

TASER INTERNATIONAL, INC., et al. )  
                                       )  
Plaintiffs,                         )  
                                       )  
vs.                                 ) CIVIL ACTION  
                                       ) FILE NO.:  
                                       ) 1:10-CV-03108-JOF  
MORGAN STANLEY & CO., INC., et al. )  
                                       )  
Defendants.                         )

VIDEOTAPED DEPOSITION OF  
DONNA T. CULVER  
DECEMBER 15, 2010  
9:30 A.M.

BONDURANT, MIXSON & ELMORE  
1201 WEST PEACHTREE STREET, NW  
SUITE 3900  
ATLANTA, GEORGIA

CONTAINS CONFIDENTIAL PORTIONS  
PURSUANT TO PROTECTIVE ORDER

**REPORTED BY:**

**STEVEN S. HUSEBY, RPR**  
**CCR-B-1372**

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1	Q. Just names, right?	10:53:42	1	be covered and protected by the	10:55:42
2	A. Yeah, just names.	10:53:43	2	attorney-client privilege or any privilege?	10:55:44
3	Q. How did you come into contact with them?	10:53:44	3	MS. GONYEA: Ms. High, at this	10:55:46
4	A. Through my husband.	10:53:47	4	time I do not. I reiterate what I've	10:55:48
5	Q. Other than the deposition preparation that we discussed, how many meetings have you had with your attorneys in this action?	10:53:48	5	explained earlier, if we would like to take a	10:55:51
6	A. Just the one yesterday.	10:54:00	6	break off the record we can continue these	10:55:53
7	Q. Did you have any other contacts with these attorneys --	10:54:05	7	discussions, but I'm instructing the witness	10:55:55
8	A. No.	10:54:08	8	not to answer.	10:55:56
9	Q. -- besides the meeting yesterday?	10:54:08	9	MS. HIGH: I don't need to take	10:55:57
10	A. No.	10:54:10	10	the break off the record. I would like to get	10:55:59
11	Q. Do you have an engagement letter with your lawyers, or retainer agreement?	10:54:10	11	an understanding of what it is you all are	10:56:01
12	A. You would have to ask my husband. I personally don't, unless I'm included in it with my husband.	10:54:17	12	actually claiming. I still don't feel that I	10:56:03
13	Q. What type of fee arrangement do you have with your lawyers?	10:54:19	13	do that. As you know we've contested this	10:56:05
14	MS. GONYEA: Objection,	10:54:24	14	point in every deposition.	10:56:08
15	Q. Do you recall signing any engagement letter?	10:54:25	15	I will ask Mrs. Culver whether she can or	10:56:10
16	A. I think I did.	10:54:27	16	is willing to answer the question,	10:56:14
17	Q. What type of fee arrangement do you have with your lawyers?	10:54:28	17	notwithstanding your attorney's instruction.	10:56:16
18	MS. GONYEA: Objection,	10:54:35	18	THE WITNESS: I prefer not to	10:56:19
19			19	answer.	10:56:21
20			20	BY MS. HIGH:	10:56:22
21			21	Q. Okay. And I just want to put you on	10:56:22
22			22	notice that this is an issue that we will	10:56:24
23			23	obviously have to take up outside of this	10:56:28
24			24	context, and if we take it up and are	10:56:31
25			25	successful, we may need to recall you to come	10:56:36
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1	attorney-client privilege. I'll instruct the witness not to answer.	10:54:35	1	back to continue this line of questioning. Do you understand that?	10:56:38
2	MS. HIGH: What's the basis for the claim that this is a question that invades the attorney-client privilege?	10:54:38	2	A. Yes.	10:56:40
3	MS. GONYEA: The agreement between us and what it is is privileged, and I believe expanding on what Mr. Caplan said yesterday, there's been effort on our part to confer with defendants in discussing this, and no good faith effort has been made or returned at this point, so we're instructing her not to answer. If you would like to continue those conversations between attorneys, we can do that, but at this time I instruct the witness not to answer.	10:54:44	4	Q. And that will be at your expense, do you understand that?	10:56:42
4		10:54:46	5	A. Yes.	10:56:45
5		10:54:50	6	Q. Okay. Have you ever paid any money to your lawyers in connection with this lawsuit?	10:56:47
6		10:54:52	7	MS. GONYEA: Object to the form.	10:56:53
7		10:54:56	8	BY MS. HIGH:	10:56:58
8		10:54:58	9	Q. You can answer.	10:56:58
9		10:55:01	10	A. I -- you would have to ask my husband.	10:56:59
10		10:55:04	11	MS. JONES: Can we take a quick break?	10:57:08
11		10:55:06	12	MS. GONYEA: Sure.	10:57:10
12		10:55:08	13	THE VIDEOGRAPHER: The time is	10:57:11
13		10:55:10	14	10:57 a.m. We're now off the record.	10:57:13
14		10:55:12	15	(Brief recess).	10:57:18
15		10:55:15	16	THE VIDEOGRAPHER: The time is	11:04:38
16		10:55:19	17	11:04 a.m., we're back on the record.	11:04:48
17		10:55:25	18	BY MS. HIGH:	11:04:48
18		10:55:28	19	Q. Have you had any contact with anyone at Banc of America Securities?	11:04:52
19		10:55:30	20	23	11:04:54
20		10:55:34	21	A. Would it be -- I mean, I do have a Banc of America checking account, savings	11:05:00
21		10:55:37	22		11:05:02

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